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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,317	07/14/2003	Stephen J. Plzak	353851-102	7284
39731	7590	03/23/2006	EXAMINER	
LAW OFFICES OF ARTHUR E. JACKSON P.O. BOX 88 HOPEWELL, NJ 08525			CHIN, PAUL T	
			ART UNIT	PAPER NUMBER
			3652	
DATE MAILED: 03/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,317

Applicant(s)

PLZAK, STEPHEN J.

Examiner

PAUL T. CHIN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-30, 34-36, 40, 41 and 45 is/are rejected.
- 7) ☒ Claim(s) 31-33, 37-39 and 42-44 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment filed January 5, 2006, and the arguments presented therewith, have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, the arguments are moot in view of a new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

Claim Objections

2. Claims 26,28,30,35,36,41, and 45 are objected to because of the following informalities: the word -- point -- should be inserted after "the fixed attachment" in claim 26, line 16. Note that applicant recites "a fixed attachment point" in claim 1, line 4. Other 28,30,35,36,41, and 45 also should be corrected in order to clearly point out and distinctly claim the subject matter. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 26-28,34-36,40,41, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertrand et al. (6,345,418).

Bertrand et al. (6,345,418) discloses a system for securing an object comprising:
a releasable adjustable fastening mechanism (16) having a first and second end and comprising a fixed attachment point at the first end (where a loop 14 being attached, Figs. 2 and 3) and an entry point to the second end (where a strap portion 22 thread);

a first flexible strap segment (Figs. 2 and 3) threaded, at one end of the first strap segment, through the entry point and engaged in the releasable adjustable fastening mechanism (see Fig. 2) and, at the other end of the first strap segment, fixedly attached to the attachment point (see Fig. 2) thereby forming a single adjustable first loop having an interior about which the first loop encloses and an exterior; and a handle (12) formed of a single non-adjustable, closed second loop of a second flexible strap segment, of circumference selected for use as such manual handle, fixedly attached to the first strap segment to form such manual handle on the exterior of the first loop and attached to a proximate portion of the first loop.

Re claims 26,28,35,36,41, and 45, Bertrand et al. (6,345,418) does not show the dimensional structural limitation of the distance of the handle from the first strap segment's connection to the fixed attachment is approximately 6 inches. However, it would have been obvious to those skilled in the art to attach the handle (12) to the first flexible strap (22,26) of Bertrand et al. (6,345,418) at about from 3 inches to about 6 inches to provide more capability of containing longer rope (20). Note that the distance of the handle from the first strap segment's connection to the fixed attachment, which is about 3 inches to about 6 inches, is not critically important to the device and the distance can be optimized in order to receive the coil rope.

Re claims 34 and 40, Bertrand et al. (6,345,418) does not show the dimensional structural limitation of the circumference of the loop handle is from 7 inches to 12 inches. Accordingly, however, it would have been obvious to those skilled in the art to provide the circumference of the handle (12) of Bertrand et al. (6,345,418) to be about from 7 inches to about 12 inches to provide as a hook or handle, which is long enough, to be firmly gripped by a user.

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5. Claims 26-30,34-36,40,41, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plzak (5,842,676) in view of Doty (6,637,077) (see PTO-892, mailed December 1, 2004).

Plzak (5,842,676) discloses a system for securing an object (451) comprising:
a releasable adjustable fastening mechanism (414) (see Fig. 4E), a buckle, having a first and second end and comprising a fixed attachment point (460U) at the first end and an entry point to the second end;
a first flexible strap segment (460) threaded, at one end of the first strap segment, through the entry point and engaged in the releasable adjustable fastening mechanism and, at the other end of the first strap segment, fixedly attached to the attachment point thereby forming a single adjustable first loop having an interior about which the first loop encloses and an exterior. Plzak (5,842,676) does not show a handle formed of a single non-adjustable, closed second loop of a second flexible strap segment, of circumference selected for use as such manual handle. However, Doty (6,637,077) teaches a loop or handle (34 or 48) being attached to the outer surface of a strap (20,22). Accordingly, it would have been obvious to those skilled in the art to attach a handle loop on the outer surface of the single strap (46) of Plzak (5,842,676) as taught by Doty (6,637,077) to provide as a means to grip for a user when a tree (1,451) is installed.

Re claims 26,28,35,36,41, and 45, Plzak (5,842,676) does not show the dimensional structural limitation of the distance of the handle from the first strap segment's connection to the fixed attachment is approximately 6 inches. However, it would have been obvious to those skilled in the art to attach the handle to the first flexible strap

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(22,26) of Plzak (5,842,676) at about from 3 inches to about 6 inches to provide a firm grip to a user.

Re claim 29, Plzak (5,842,676) teaches an engagement surface and a cam (see Figs. 4B-4D) that one end engage the first strap segment.

Re claims 34 and 40, it would have been obvious to those skilled in the art to provide the circumference of the handle of the modified Plzak (5,842,676) to be about from 7 inches to about 12 inches to provide as a hook or handle, which is long enough, to be firmly gripped by a user.

Allowable Subject Matter

6. Claims 31-33, 37-39, and 42-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 26-30, 34-36, 40, 41, and 45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Collin (5,110,023) shows a buckle (4), a strap having a single loop, and a handle (2) being attached to the outer surface of the strap.

9. Applicant's amendment (new claims 26-45 with combination of new structural limitations) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (571) 272-6922. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600